

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4-8 and 10-27 are pending in the present application. Claims 1, 4, 13-23, 26 and 27 have been amended by the present amendment. Claims 1 and 14 are independent.

In the outstanding Office Action, claims 1, 4-8 and 10-27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lamkin (U.S. Patent Pub. No. 2002/0078144) in view of Briscoe (U.S. Patent No. 7,216,149).

Claims 1, 4, 13-23, 26 and 27 are amended to more clearly describe and distinctly claim Applicant's invention. Support for this amendment is found in Applicant's originally filed specification. No new matter is added.

Briefly recapitulating, amended claim 1 is directed to

A method of reproducing auxiliary contents data in a recording medium player, the method comprising:

receiving, by the recording medium player and from an external server, playback control information for the auxiliary contents data, the auxiliary contents data related to audio/video (A/V) recorded on a recording medium, the playback control information including

address information for indicating a location of the auxiliary contents data,

attribute information for indicating image types,

aspect ratio information for the auxiliary contents data,

an image type for indicating whether an image for presenting the auxiliary contents data is square or not, and

the aspect ratio information indicating whether an aspect ratio of the image for presenting the auxiliary contents data is either 4:3 or 16:9;

storing, by the recording medium player, the playback control information in one region among at least two logically divided regions of a buffer memory;

checking, by the recording medium player, the attribute information stored in the one region of the buffer memory to determine a presentation method for the auxiliary contents data; and

presenting, by the recording medium player, the auxiliary contents data according to the determined presentation method,

wherein the step of presenting includes outputting the auxiliary contents data in conjunction with the A/V data reproduced from the recording medium using the image type and the aspect ratio included in the playback control information.

Lamkin describes a method for integrating playback of disparate media sources in a device. The Official Action asserts that Lamkin's HTML pages and/or Java scripts "are interpreted as the playback control information – at least the graphics and/or pictures defined in the HTML pages are interpreted as auxiliary contents data." The Official Action also cites to 10 paragraphs of Lamkin, along with Figs. 9-10 of Lamkin. Applicant traverses for the following reasons.

First, Applicant submits that the mere citation of 10 paragraphs and 3 figures without any analysis or explanation does not make a prima facie case of obviousness. If Lamkin is again

used as a basis of rejection for Applicant's playback control information, Applicant requests a more detailed explanation for exactly how any cited passages of Lamkin are being interpreted and applied. Nonetheless, to advance progress toward allowance, claim 1 is amended to clarify Applicant's invention.

Second, Lamkin does not disclose or suggest "receiving, by the recording medium player and from an external server, playback control information for the auxiliary contents data." Paragraph [0105] of Lamkin merely recites that an embedded web browser (410) is responsible for displaying the HTML content authored on InterActual-compatible disks, stored locally on device (602), or served from a remote server location. The embedded web browser (410) also supports concurrent playback of video and audio while presenting the HTML page. Furthermore, paragraph [0205] of Lamkin describes that a user causes computer (1408) to access a web page resident on the server (1402) via the connections through the Internet. In so doing, the website containing the accessed web page causes a cookie (1406) to be sent to the computer (1408) and stored on a local storage drive for later reference by the storing website.

However, in Lamkin, the HTML contents are defined in a corresponding content home page such as INDEX.HTM or CONNECT.HTM, which are recorded on a disk or stored in a flash memory and then accessed by the device from the disk or flash memory. The HTML pages of Lamkin are not directly accessed from an external server. Thus, amended claim 1 patentably defines over Lamkin.

Applicant has considered Briscoe and submits Briscoe does not cure the deficiencies of Lamkin. Applicant further submits that amended independent claim 14 patentably defines over Lamkin and Briscoe for reasons similar to those presented above relative to amended independent claim 1.

As none of the cited art, individually or in combination, disclose or suggest at least the above-noted features of independent claims 1 and 14, Applicant submits the inventions defined by claims 1 and 14, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.

MPEP 2141 notes that prior art is not limited just to the references being applied, but includes the understanding of one of ordinary skill in the art. MPEP 2141 further notes that the prior art reference (or references when combined) need not teach or suggest all the claim limitations. However, an obviousness-type rejection must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. MPEP 2141 goes on to list exemplary rationales that may support a conclusion of obviousness. However, Applicant submits that the Official Action and the applied references present no objective evidence that would support an obviousness-type rejection of Applicant's amended claims based on one of these exemplary rationales.

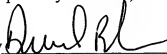
CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

Dated: **AUG 13 2010**

Respectfully submitted,

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